

REMARKS

Applicants kindly request the Examiner to amend the first sentence of the specification to reference the claim of priority to U.S. Provisional Application No. 60/108,701.

Applicants note that a benefit claim was submitted in a combined Declaration and Power of Attorney within the time period set forth in 37 CFR 1.78(a) and the claim was recognized by the Office as shown by its inclusion on the filing receipt. Accordingly, a petition under 37 CFR 1.78(a) and the surcharge under 37 CFR 1.17(t) is not required pursuant to **M.P.E.P. § 201.11(D)** to correct the benefit claim, as requested above.

→ A copy of the filing receipt has been included for the Examiner's reference.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date:

April 30, 2004



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FILING RECEIPT



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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office

 Address: ASSISTANT SECRETARY AND
 COMMISSIONER OF PATENT AND TRADEMARKS
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APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/454,164	11/17/1999	2733	571	5922-53642	5	21	6

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Date Mailed: 03/15/2000

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the PTO processes the reply to the Notice, the PTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

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Continuing Data as Claimed by Applicant

THIS APPLICATION IS A PRO OF 60/108,701 11/17/1998

Foreign Applications**Title**

CODE-BASED OPTICAL NETWORKS, METHODS, AND APPARATUS

Preliminary Class

359

Data entry by : ZIMMERMAN, SHAUNA

Team : OIPE

Date: 03/15/2000